

CRIMINAL DOCKET
UNITED STATES DISTRICT COURT transferred to DAUGHERTY

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES <i>vs.</i> EARL M. STRAUGHN	<i>For U. S.:</i> Hubert H. Bryant <i>For Defendant:</i> ✓ Terry Meltzer (Ret) ✓ 4815 S. Harvard Tulsa, Okla. (743-8931) <i>74135</i>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISE.
J.S. 2 mailed <i>5-31-72</i>	Clerk	9-29-72 10-5-72	T. Meltzer C.D.No.16	5.00	5.00
J.S. 3 mailed <i>9-30-72</i>	Marshal				
Violation Dyer Act	Docket fee				
Title 18					
Sec. 2312					

DATE	PROCEEDINGS
5-3-72	Indictment, filed in open court. hm
5-3-72	Record vote of the grand jury, filed in open court. hm
5-3-72	Appearance bond of the deft. in the amt. of \$2500.00 (surety), filed. h
5-3-72	Order specifying methods and conditions of release, filed. hm
5-9-72	Deft. appears in person and is rep. by Terry Meltzer, Ret. Govt. rep. by Ben F. Baker. Deft. acknowledges receipt of Indictment and waives reading of it. Deft. is advised of charge, is arraigned and enters a plea of NOT GUILTY. Deft. is given 10 days to file motions and the case is set for Jury Trial on May 22, 1972, at 9:30 A.M. (to be near the end of the docket). Deft. to stand on present bond. Deft.'s atty. asks court for permission for the Deft. to be able to travel to Okla. City as well as in this district, and the Court so grants. (AEB-J)v
5-22-72	Def. present in person and rep. by Terry L. Meltzer, ret. counsel. The govt rep. by H. Bryant. At request of government, this case is passed pending availability of witness, or to be continued to next jury docket.(AEB-J)h
5-26-72	Subpoenae (8), ret. & filed. g
6-8-72	Appl. of pltf. for continuance of case to next jury term, filed. rm

DATE	PROCEEDINGS
6-14-72	Order filed that govt's application for continuance granted, and case passed to next jury docket. (AEB-J)h
6-28-72	Return on Subpoena to Produce Document or Object, filed. Executed by serving copy to Dave Money in Phoenix, Arizona, on 5-18-72. v
6-28-72	Return on Subpoena to Testify, filed. Returned unexecuted. v
7-13-72	Ordered that case to transfer to Judge Daugherty. (AEB-J)r
7-13-72	Ordered that Case be set for Jury Trial on Mon. 8-21-72. (FD-J)r
8-9-72	Return on subpoenas to produce documents or objects filed. Served George Purvis at Phoenix Arizona on 8-4-72. Served Geleda Platter at Tulsa, Oklahoma on 8-1-72. Served James Waggoner and John Hofsaes at Oklahoma City, Oklahoma, on 8-4-72. \$18.92 ds
8-9-72	Return on subpoenas to testify filed. Served Daniel McKeever at Oklahoma City, Okla on 8-3-72. Served Mary Carrington, Jack Carrington and Jeanne Blackwood, all at Tulsa, Oklahoma on August 1, 1972. (\$9.00)
8-21-72	Case called for jury trial. Parties & counsel present. Case passed to 8-22-72 at 9:30 a.m. (FD-J)hm
8-22-72	Case tried to a jury. Deft. present & represented; govt. represented. Parties announce ready. Jury retires to deliberate at 3:37 p.m. Jury returns with verdict finding the defendant guilty as charged, at 4:47 p.m. Verdict ordered received, read & filed in open court. Govt's request to raise bond to \$10,000 cash or surety is denied & deft. ordered to stand on present bond. Sentencing passed. (FD-J)hm
8-22-72	Trial exhibits, filed. hm
8-25-72	Case set for sentence 9-19-72 at 10:00 a.m. (FD-J)hm
9-19-72	Sentencing held. Deft. present w/counsel Terry Meltzer (Retained); Govt. resp. by Hubert Bryant. Deft and counsel are asked if they have anything to say before sentence is passed, and no cause to the contrary being shown, It is adjudged that the deft is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of
	Judgment & Commitment - Earl M. Straughn
	Three (3) Years - Count 1
	Deft advised or right to appeal. Deft's present bond will continue for Appeal if he so desires @\$2,500.00 surety. (FD-J)r
9-19-72	Order of J/S, filed and entered. (FD-J)r
9-19-72	Two c.c. to the U.S. Marshal. r
9-27-72	Marshal's return of service of one (1) subpoena to testify, filed. rm
9-27-72	Marshal's return on (1) one subpoena to produce documents, filed. rm
9-29-72	Notice of Appeal, filed. v Cpy to USCA & Hubert Bryant, Asst. US Atty.
11-8-72	Order extending time to docket appeal to Dec. 8, 1972, filed. (FD-J)g Cpy to USCA, H. Bryant & Terry Meltzer.
11-8-72	Application of USA to remove original government exhibits and substitute copies thereof, filed. g
12-1-72	Marshal's return on one subpoena to testify, filed. rm
12-6-72	Transcript (orig. + file cpy) of trial proceedings, filed. g

D. C. 110A Rev. Civil Docket Continuation

⊕

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-6-72	Appeal record (2 vols.) sent to USCA. g	
2-15-73	C/C Order of USCA dismissing appeal pursuant Rule 14, for lack of prosecution, filed. g	
2-15-73	Appeal record (2 vols.) rec'd from USCA. g	
2-21-73	Order Permitting Removal of Original Govt. Exhibits and Substitution of Copies thereof, filed. (FD-J)v <i>Ply. substituted copies, for all</i>	
5-7-73	J&C, ret. & filed: deft. delivered to USP, Leavenworth, Ks., <i>except PX 2.</i>	
4-19-73. g	<i>- exhibits w/ this order.</i>	
5-11-73	Ltr dated 4-26-73 from Deft. req. reduction of sentence, filed. r	
5-11-73	Order filed, denying req. of deft for reduction of sentence, filed. (FD-J)r (Copies mailed to Parties)	
3-25-74	Letter, filed, from Deft. Straughan to Judge Daugherty, requesting modification of sentence. Letter is dated 3-11-74. v	
3-25-74	Letter, filed, from Judge Daugherty to Deft. Straughn, denying Deft's request for modification of sentence. Letter is dated 3-22-74. v	

DATE	PROCEEDINGS	Date Order or Judgment Noted

FILED
MAR 30 1972

UNITED STATES MAGISTRATE
NORTHERN DISTRICT OF OKLAHOMA

M-190

JOHN H. POE, Clerk
U. S. DISTRICT COURT

RECORD OF PROCEEDINGS IN CRIMINAL CASES

72-CR-190

BEFORE Morris L. Bradford U. S. Court House, Tulsa, Oklahoma
(Name of magistrate) (Address)

MAGISTRATE'S
DOCKET No. 1 CASE No. 248
THE UNITED STATES
vs.
EARL M. STRAUGHN

Complaint filed on March 13, 19 72, by John L. Harrington
Official title Special Agent, FBI, charging violation of
United States Code, Title 18, Section 2312, on March 9
19 72, at Tulsa, Oklahoma in the
division of the Northern district of Oklahoma
as follows: Did transport in interstate commerce from
Scottsdale, Arizona to Tulsa, Oklahoma a 1972
Oldsmobile, VIN 3V39T2M449916, bearing current
Kansas license SG-S8467, knowing this vehicle to
be stolen

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date March 13, 1972 Warrant/~~SUMMONS~~ for Earl M. Straughn
(Name of defendant)
to (name and title of officer) ~~Executed by~~ U. S. Marshal or any other authorized person
Substance of return Executed by arrest of Earl M. Straughn

Date _____ Warrant/Summons for _____
(Name of defendant)
to (name and title of officer) _____
Substance of return _____

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date March 13, 1972 Arrested by John L. Harrington { on warrant of Morris L. Bradford
(Name of issuing officer)
~~without warrant.~~
Appearances { for United States Ben F. Baker Tulsa, Oklahoma
(Name) (Address)
for accused _____
(Name) (Address)

Proceedings taken Defendant was advised of his right to counsel. Defendant an-

nounced that he would retain counsel and this matter was passed to 1:30 p.m. on

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"
March 14, 1972. March 14, 1972: Defendant appeared in person and with counsel,

if that is the fact; any adjournments taken, etc.
Terry Metzger, and was advised of the charges pending against him as contained in
complaint, of his right to bail and right to a preliminary hearing. Bail was
fixed at \$2500. Preliminary hearing was set for March 27, 1972 at 1:30 p.m.

Outcome Defendant remanded to custody of U. S. Marshal in lieu of bond

Bail fixed March 14, 19 72 Amount, \$ 2500.00 Bonded _____, 19 _____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19 _____ [or] by surety
(name) _____ Address _____
(name) _____ Address _____, who
justified by affidavit dated _____, 19 _____, [or] committed to _____
on _____, 19 _____

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
 at request of (name of party) _____
 Substance of return _____

_____, 19____, for (name of witness) _____
 at request of (name of party) _____
 Substance of return _____

_____, 19____, for (name of witness) _____
 at request of (name of party) _____
 Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date March 27, 1972 Appearances for

United States

(Name) Hubert Bryant

(Address) Tulsa, Oklahoma

Accused

(Name) Terry Metzger (Ret.)

(Address) Tulsa, Oklahoma

WITNESSES FOR UNITED STATES:

(List names and addresses)

John L. Harrington Tulsa, Oklahoma
Special Agent, FBI

WITNESSES FOR ACCUSED:

(List names and addresses)

None

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
 Proceedings taken

Defendant appeared in person and with counsel. John L. Harrington, Special Agent, FBI, was sworn and testified for the Government. Mr. Harrington was examined by Hubert Bryant and cross-examined by Terry Metzger. The court found that the Government had established probable cause and the defendant was bound over for action by the United States District Court.

Outcome Defendant remanded to custody of U. S. Marshal in lieu of bond

Bail fixed March 14, 1972 Amount, \$ 2500.00 Bonded _____, 19____, by cash
 deposited by (name) _____ Address _____
 transmitted to clerk of district court _____, 19____
 [or] by surety (names) _____ Address _____
 and _____ Address _____
 who justified by affidavit _____, 19____ Committed to _____
 on _____, 19____

Certified to be a correct transcript.

Made this 27th day of March, 19 72

Transmitted to Clerk of United States District Court for the Northern
 district of Oklahoma, March 27, 19 72

Marvin P. B. D. D.

United States Magistrate.